

REMARKS

Claims 1-3 and 5-10 are pending in the application. Claim 4 has been cancelled. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

REJECTIONS UNDER 35 U.S.C. § 103(a)

Claims 1-10 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Fujiwara et al. (U.S. Patent Application No. 2003/0102875) in view of Kasai (U.S. Patent No. 6,545,614). These rejections are respectfully traversed.

At the outset, Applicants note that Claim 4 has been cancelled therefore the §103(a) rejections against Claim 4 should be rendered moot. Furthermore, in the Response to Arguments section of the current Office Action, the Examiner states that Applicants have argued that Fujiwara et al. does not teach or suggest capacitance detecting means. Applicants respectfully believe that the Examiner has misinterpreted Applicants' position regarding the cited art. Applicants respectfully submit that the Fujiwara et al. fails to teach or suggest "capacitance detecting means provided for each electrode so as to detect from the respective electrodes a variation in capacitance formed between the respective electrodes and a portion of the human body which faces the electrode in spaces between the respective electrodes when a portion of the human body is adjacent to or in contact with an external surface of the insulating sheet." As noted in the paper of October 29, 2007, the input device, as recited by independent Claim 1, calls for a portion of the human body (e.g., a finger) to serve as an electrode such that a capacitance is formed in cooperation with another electrode. As noted by the Examiner, Fujiwara et al., in contrast, teaches an input device which comprises "a detecting section provided with both electrodes and

for detecting a position of a dielectric disposed on a surface thereof..."(Paragraph 0019). More specifically, as further cited by the Examiner, Fujiwara et al., provides for "appropriately detecting changes in electrostatic capacity between the primary electrodes 2 and the secondary electrodes 3, caused due to positioning of an electric conductor 8 (here, a finger) on the operating surface 7 of the first insulating layer 1." As clearly illustrated in Figure 1, the dielectric 8 of Fujiwara et al. is a human body part such as a human finger. As such, in Fujiwara et al., a human body part functions as a dielectric – not an electrode as recited by independent Claim 1.

Notwithstanding, in order to expedite prosecution of the present application, Applicants have elected to amend independent Claim 1 in order to more fully distinguish the present application. Independent Claim 1 has been amended to recite an input device having a plurality of electrodes "wherein a respective capacitance associated with each of the plurality of electrodes can be generated." Independent Claim 1 has been further amended to recite capacitance detecting means "wherein the capacitance detecting means detects a variation of a facing area between one of the electrodes and the portion of the human body." Applicants respectfully submit that the proposed combination fails to teach or suggest these elements.

The Examiner primarily relies on the Fujiwara et al. reference however, at a minimum, Fujiwara et al. fails to teach, disclose, or suggest a configuration of the input device such that a respective capacitance associated with each of the plurality of electrodes can be generated in order to enable the detection of a capacitance variation between one of the electrodes and a portion of the human body. Although Fujiwara et al. discloses an input device, Fujiwara et al. fails to teach or suggest capacitance detecting means as recited in Claim 1 of the present application. In fact,

Fujiwara et al. teaches away from the recited input device. As mentioned previously, the present invention calls for a configuration of an input device for detecting capacitance between a first electrode and a human finger (i.e., a second electrode). Fujiwara et al. teaches away from the claimed configuration by disclosing a configuration in which the primary electrode 2 and the secondary electrodes 3 act as a capacitor, in which an upper region therebetween constitutes a dielectric. Whether the dielectric 8 is positioned on the operating surface 7 is detected on the basis of changes in the sum (or average value) of electrostatic capacities between the primary electrodes 2 and the respective secondary electrodes 3a, 3b, 3c, 3d (Paragraphs 0046-0048). In other words, a primary electrode 2 is required to determine the presence and position of a finger (i.e., a dielectric) on the operating surface 7.

In contrast, the input device of Claim 1 does not require a "common electrode" as necessitated by Fujiwara et al. Furthermore, each of the respective electrodes of the plurality of electrodes is arranged in a circumferential direction at equal intervals and is characterized by the same area. Additionally, a respective capacitance is formed between each of the electrodes and a human body part (i.e., a second electrode) such as a human finger. Therefore, the input device of Claim 1 is clearly not taught or suggested by Fujiwara et al.

Kasai fails to remedy the shortcomings of Fujiwara et al. As noted in the Office Action, the Examiner relies on Kasai merely to disclose a clock signal generating means, signal delay means having a time constant CR, and a control unit. Kasai makes no mention of an input device having the configuration and function as taught by independent Claim 1.

Thus, Applicants believe independent Claim 1 patentability distinguishes over the cited art. Therefore, Applicants respectfully assert that independent Claim 1 is patentably distinct from the references proposed by the Examiner. As such, Applicants respectfully request that the 35 U.S.C. § 103(a) against independent Claim 1 and its dependent claims be removed.

CONCLUSION

Based on the above remarks, Applicants respectfully submit that the claims are in condition for allowance. The Examiner is kindly invited to contact the undersigned attorney to expedite allowance.

Respectfully submitted,

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